

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Marcus Dill, et al.                      Art Unit : 2166  
Serial No. : 10/816,909                              Examiner : Leon J. Harper  
Filed : April 5, 2004                                  Conf. No. : 2650  
Title : DEFINING A DATA ANALYSIS PROCESS

**MAIL STOP AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicants hereby appeal to the Board of Patent Appeals and Interferences the rejected claims 1, 3-14, 17-28, and 31-40 from the final Office action dated June 27, 2008.

The appeal based on the Notice of Appeal filed on September 10, 2007 resulted in re-opening of prosecution prior to a final decision by the Board. Accordingly, applicants request that the \$500 notice of appeal fee paid in connection with the Notice of Appeal filed on September 10, 2007 be applied to this Notice of Appeal. See MPEP § 1204.01. The fee in the amount of \$10 in payment of the difference between the current notice of appeal fee and the previously-paid notice of appeal fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization.

The Director is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 06-1050. The Director also is hereby authorized to apply any additional fees or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: September 26, 2008

/Jeremy J. Monaldo/

Jeremy J. Monaldo

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